

REMARKS

The final Office Action mailed December 29, 2006, rejected all pending claims 1, 2, 4, 6-8, 10, 13-16, 19 and 20. Applicants have amended above independent claims 1, 8 and 15 to more clearly define the subject matter sought to be patented. The amendments add no new matter. Claims 1, 2, 4, 6-8, 10, 13-16, 19 and 20 remain pending. Applicants request reconsideration in view of the amendments above and the following remarks.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected claims 1, 2, 6-8, 10, 13-16, 19 and 20. as being anticipated under 35 U.S.C. 102(e) by U.S. Patent No. 6,671,757 to Multer et al. ("Multer"). Of the rejected claims, claims 1, 8 and 15 are independent.

Applicants have amended each of the independent claims to recite "the related data element defined to have a relationship to the at least one data element," and copying the at least one data element and the related data element to an export data file "by converting the at least one data element and the related data element to ActiveX Data Object files." The amendments add no new matter. Applicants submit that each of independent claims 1, 8 and 15, as amended, define subject matter that is patentable over the cited art, including Multer, as do the rejected dependent claims.

Multer relates to synchronizing devices. (Abstract). Given first and second systems A and B, a differencing transmitter extracts information from A and converts the information extracted into difference information, which comprises only the changes to B's data which have occurred on B. (Col. 6, lines 6-10). Only the difference information is transmitted between systems. (Col. 6, lines 20-24).

With regard first to claim 1, Applicants submit that Multer does not anticipate amended claim 1 because Multer does not disclose or suggest all of the elements recited in Applicants' amended claim 1. For example, Multer fails to disclose or suggest a method that includes "copying the at least one data element and the related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object files." Further, Multer fails to disclose or suggest a method that includes "accessing a related

data element from the source database, the related data element defined to have a relationship to the at least one data element and affecting a layout of the at least one data element.”

The Examiner contended, at page 7 of the present Office Action, that “data elements found within the same relational database are inherently ‘relationally linked.’” (Office Action, page 7). While Applicants do not concede that the Examiner’s position is correct, even if, as the Examiner contends, all data elements within a relational database are relationally linked, it cannot be said that Multer discloses or suggests a related data element of the type recited in claim 1 – namely a related data element “defined to have a relationship to the at least one data element.” The claim 1 relationship between the related data element and the at least one data element goes beyond merely being jointly stored in a relational database. In particular, the related element is “defined to have a relationship to the at least one data element,” as by a definition file that catalogs defined relationships between data elements. It is this definition of the relationship between the related data element and the at least one data element that permits the “export agent 18” to determine “whether a particular tagged data item has any related data elements 70.” (see Applicant’s specification as originally filed at page 13, line 32, to page 14, line 2). In particular, a related data element that “affects a layout of the at least one data element” is identified in this way for copying to the export data file of claim 1.

In contrast, under the Examiner’s contention of relatedness in Multer’s system, Multer’s system would identify every data element stored in the same relational database as “related.” This is very different from the method defined by Applicants’ claim 1. Applicants’ related data element is defined to have a relationship to the at least one data element to distinguish it from other data elements that may happen to reside within the same or other databases, so that the related data element may be identified during a determination of related data elements for a particular at least one data element.

Neither does Multer render obvious Applicants’ claim 1. Multer is concerned with only transferring difference information between systems. Indeed, in a section cited by the Examiner in rejecting claim 1, Multer explicitly states: “System A will extract the differences in the file known to exist on System B and any new files, and transmit only those differences.” As such, Multer teaches away from Applicants’ claim subject matter, and in particular teaches away from including additional information in an export data file – namely, a related data element defined to

have a relationship to the at least one data element that affects a layout of the data element. Moreover, Multer is motivated by inefficient synchronization schemes, (Col. 2, lines 45-48), and Multer is specifically directed toward reducing the amount of data transferred between systems. Additionally, it would not have been obvious for Multer to utilize ADO data persistency for storing data element information in the manner recited in claim 1.

For at least these reasons, claim 1 defines subject matter that is patentable over Multer, as do dependent claims , 2, 4, and 6-7. Accordingly, Applicants ask that the Examiner remove the anticipation rejections of these claims.

Amended independent claim 8 defines a system that executes the method of claim 1, and defines subject matter that is patentable over Multer for at least the reasons discussed above with reference to claim 1, as do dependent claims 10 and 13-14. Accordingly, Applicants ask that the Examiner remove the anticipation rejections of these claims.

Amended independent claim 15 defines an article including a machine-readable medium storing machine-readable instructions that, when applied to the machine, cause the machine to perform the method of claim 1. Thus, claim 15 defines subject matter that is patentable over Multer for at least the reasons discussed above with reference to claim 1, as do dependent claims 16 and 19-20. Accordingly, Applicants ask that the Examiner remove the anticipation rejections of these claims.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over Multer in view of U.S. Patent No. 5,423,033 to Yuen (“Yuen”). Claim 4 depends from claim 1. As described above, amended claim 1 defines subject matter that is patentable over Multer. Thus, dependent claim 4 defines subject matter that is patentable over Multer, and Yuen fails to cure the deficiencies of Multer. Accordingly, Applicants request that the Examiner remove the 35 U.S.C. 103(a) rejection of claim 4.

CONCLUSION

Applicants submit that claims 1, 2, 4, 6-8, 10, 13-16, 19 and 20 are in condition for allowance, and request that the Examiner issue a notice of allowance.

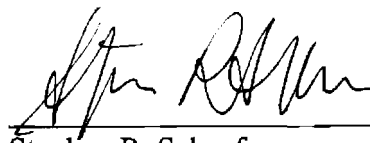
It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please charge Deposit Account No. 06-1050 in the amount of \$790 for the RCE fee and in the amount of \$1020 for the Petition for Extension of Time. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

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